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EXTRAORDINARY

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HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 22th June, 2022

No. 11/6/2022-4Lab.— In exercise of the power conferred by clause (b) sub-section (1) of Section 66 of Factories Act, 1948 (Central Act 63 of 1948) and in supersession of all other notifications issued in this behalf, the Governor of Haryana hereby prescribes the following conditions in respect of any factory which apply for the exemption for employing women in the factory during night shift i.e. between the hours of 07.00 PM to 06.00 AM, in respect of their Safety and Security measures or safeguards. Such exemption shall be valid for one calendar year:-

1. No women shall be subjected to sexual harassment at any workplace in the factories.
2. The provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or any other law or any other instructions / conditions issued in this regard from time to time by the Central Government or State Government, shall be complied with by the occupier of the factory.
3. Every occupier of the factory shall constitute by an order in writing, a Committee to be known as the Internal Committee (IC) as per Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Where the offices or administrative units of the workplace are located at different places or divisional or sub divisional level, the Internal Committee should be constituted at each administrative units or offices or workplaces separately.

4. Every occupier shall prepare and as often as may be appropriate, revise, a written statement of his general policy showing his commitment with respect to the prohibition of sexual harassment of the women worker at workplace.
5. The order regarding constitution of Internal Committee and Policy on prohibition of sexual harassment shall be displayed at conspicuous places at the workplace.
6. The occupier shall provide proper lighting and CCTV cameras not only inside the factory, but also surrounding of the factory and to all places where the female workers may move out of necessity in the course of her work.
7. The occupier or manager shall see that the women workers are employed in a batch of not less than ten and the total of the women workers employed in a night shift shall not be less than 2/3rd of the total strength.
8. The Occupier shall provide transportation facility to the women workers from their residence and back (for the night shift), security guards (including female security guard) and each transportation vehicle shall also be equipped with CCTV cameras. Sufficient women security shall also be provided at the entry as well as exit point of the factory.

9. During night shift not less than 1/3rd of strength of the supervisors or shift-in-charge or other supervisory staff shall be women.
10. Declaration/consent from each women worker including security guard, supervisors, shift- in-charge or any other women staff to work during night shift i.e. between 07.00PM to 06.00AM shall be obtained.
11. The occupier shall provide appropriate medical facilities by engaging a doctor / female nurse during night shift. Where more than hundred women workers are employed in the shift, a separate vehicle also will be kept ready to meet any emergent situation such as hospitalization, whenever there is a case of injury or incidental acts of harassment etc. Telephone numbers like Police, Hospital and Members of Internal Committee etc. shall be displayed at conspicuous places.
12. In other respects, the provisions of the Factories Act, 1948 and the Rules of other statutory provisions with respect to the hours of work, rest intervals, holidays, separate canteen or rest room facility for women workers, the provisions of Payment of Equal Remuneration Act and all other Labour Legislations shall be followed by the occupier of the factory.
13. The women workers working in all shifts shall have a monthly meeting through their representatives with the occupier as grievance day and the occupier shall try to comply all just and reasonable grievances.
14. The occupier shall organise workshops, orientation programs and awareness programs at regular intervals for sensitising the women workers about their rights to protection against sexual harassment at workplace and the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and rules framed thereunder.
15. The occupier or manager shall send a copy Annual report prescribed under Section 22 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 on or before the 31st January of each year to the Labour Commissioner, Haryana and Assistant Director, Industrial Safety & Health of their jurisdiction about the details of women workers.

An express report shall also be sent to the concerned Assistant Director, Industrial Safety & Health and local Police Station as well, whenever there is some untoward incident.

16. Any other condition as may be specified in this regard by the Central or State Government from time to time.

All the above said conditions shall be applicable to the management of the factories where women workers are working, in the factories.

DR. RAJA SEKHAR VUNDRU,
Additional Chief Secretary to Government, Haryana,
Labour Department.